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11                   UNITED STATES DISTRICT COURT  
                         DISTRICT OF NEVADA

12 Kevin James Lisle,  
13                   Petitioner,  
14                   v.

15 William Gittere, Warden, Ely State  
Prison, Aaron Ford, Nevada Attorney  
General,

17                   Respondents.

Case No. 2:03-cv-01006-MMD-DJA  
**Stipulation and Proposed Order**  
DEATH PENALTY CASE.

1       On June 4, 2021, this Court issued a minute order setting a schedule for  
2 discovery related to Petitioner Kevin Lisle's March 20, 2021 Declaration. *See* ECF  
3 Nos. 462, 455-1. The Court ordered that the parties have 45 days to schedule and  
4 conduct depositions following Mr. Lisle's requests for production and the State's  
5 disclosure of documents.

6       Because a scheduling issue will prevent completion of the depositions within  
7 this 45-day timeframe, the parties enter this stipulation to extend the time by one  
8 week.

9       **IT IS HEREBY STIPULATED AND AGREED** that:

10      1.       On June 14, 2021, counsel for Mr. Lisle served on counsel for the State  
11 requests for production of documents. On July 14 and 15, 2021, Mr. Lisle received  
12 documents from the State in response to these requests for production. Forty-five  
13 days from July 15, 2021 is August 29, 2021, a Sunday, making the deadline to  
14 complete depositions August 30, 2021.

15      2.       On July 16, 2021, counsel for Mr. Lisle emailed counsel for the State to  
16 schedule the depositions. In early August, counsel for both parties conferred about  
17 the depositions, reaching a tentative agreement. On August 9, 2021, counsel for Mr.  
18 Lisle served subpoenas on opposing counsel, who had previously agreed to accept  
19 service by email, for depositions to occur the week of August 23, 2021. It was then  
20 discovered that Nathan Holland, one of the attorneys for the State, had a  
21 scheduling conflict during that week.

22      3.       The parties again conferred and determined the following week would  
23 conform to the witnesses' and attorneys' schedules. The parties have scheduled and

1 agreed that the following depositions will occur: on August 31, 2021 at 9:00 a.m.,  
2 counsel for Mr. Lisle will depose Daron Franklin; on September 1, 2021 at 9:00 a.m.,  
3 counsel for Mr. Lisle will depose William Miller; on September 3, 2021 at 9:00 a.m.,  
4 counsel for Mr. Lisle will depose a witness designated by the Nevada Department of  
5 Corrections under Fed. R. Civ. P. 30(b)(6). Mr. Lisle served updated subpoenas via  
6 email on August 23, 2021.

7       4. The parties agree to extend by seven days the period to complete the  
8 depositions; the new deadline to complete depositions is September 6, 2021.

9                     DATED this 25th day of August, 2021.

10          RENE L. VALLADARES  
11                     Federal Public Defender

12          AARON FORD  
13                     Nevada Attorney General

14          \_\_\_\_\_  
15          */s/ David Anthony*  
16          david anthony  
17          Assistant Federal Public Defender

18          \_\_\_\_\_  
19          */s/ Michael Bongard*  
20          MICHAEL BONGARD  
21          Senior Deputy Attorney General

22          \_\_\_\_\_  
23          */s/ Stacy Newman*  
24          STACY NEWMAN  
25          Assistant Federal Public Defender

## ORDER

The parties have submitted a stipulation agreeing to extend by seven days the time to complete depositions up to and including September 6, 2021.

Based on the stipulation and for good cause shown, it is hereby ordered that depositions in this case be completed by September 6, 2021. The minute order entered on June 4, 2021 otherwise remains in effect.

DATED this 26th day of August, 2021.



Miranda M. Du  
Chief United States District Judge